

JACOBSON HOLMAN PLLC 202 393 5350

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/341,119	11/18/1999	PHILIPPE SAUER	P63712US0	4763

7590

01/28/2002

JACOBSON PRICE HOLMAN & STERN
400 SEVENTH STREET NW
WASHINGTON, DC 20004

FINAL REJECTION

JACOBSON HOLMAN PLLC
Response Due On Or Before
7 / 1 / 28 / 02
Month Day Year

EXAMINER

PRATS, FRANCISCO CHANDLER

ART UNIT PAPER NUMBER

1651

DATE MAILED: 01/28/2002

13

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Applic ation No.

09/341,119

Applicant(s)

SAUER ET AL

Examin r

Francisco C Prats

Art Unit

1651

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 August 2001.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 14-37 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 14-37 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-946)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s) _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

LAW OFFICES OF

JACOBSON HOLMAN

PROFESSIONAL LIMITED LIABILITY COMPANY

400 SEVENTH STREET, N. W.

WASHINGTON, D. C. 20004

(202) 638-6666

IMPORTANT

JACOBSON HOLMAN STERN

OF COUNSEL

MARVIN R. STERN

NATHANIEL A. HUMPHRIES

TELEFAX:

(202) 393-5350

(202) 393-5351

(202) 393-5352

E-MAIL: JH@JHIP.COM

INTERNET: WWW.JHIP.COM

*BAR OTHER THAN QC

HARVEY B. JACOBSON, JR.
JOHN CLARKE HOLMAN
SIMOR L. MOSKOWITZ
ALLEN S. MELSER
MICHAEL R. SLOBASKY
MARSHA G. GENTNER
JONATHAN L. SCHERER
IRWIN M. AIGENBERG
GEORGE W. LEWIS
WILLIAM E. PLAYER
YOON S. HAM
PHILIP L. O'NEILL
LINDA J. SHAPIRO
LEESA N. WEISS
SUZIN C. BAILEY
MATTHEW J. CUCCIAS
DANIEL K. DORSEY
SUZANNAH K. SUNDBY*

FACSIMILE COVER LETTER

Date: July 8, 2002

To: Examiner M. WITYSHYN
Art Unit 1615

Facsimile No. 703-746-5277

Page 1 of 4

From: W. PLAYER

W.E. Player
Reg. No 36409

In re the Application of: Philippe SAUER et al.

Serial No.: 09/341,119

Group Art Unit: 1651

Filed: November 18, 1999

Examiner: PRATS, F.

For: RAPID AND SIMPLE PROCESS FOR THE ISOLATION OF CIRCULAR NUCLEIC ACIDS

Commissioner for Patents

United States Patent and Trademark Office

Washington, D.C. 20231

Message

As requested, today, attached are the cover page, summary page, and page headed number "2" of the Office Action mailed January 28, 2002. As indicated during our phone conversation, today, the Office Action sets July 28, 2002, as the non-extendible response deadline, and we docketed this case accordingly.

We look forward to your return call.

THIS COMMUNICATION IS INTENDED ONLY FOR THE USE OF THE ADDRESSEE AND MAY CONTAIN INFORMATION THAT IS PRIVILEGED AND CONFIDENTIAL. IF YOU ARE NOT THE INTENDED RECIPIENT, OR THE EMPLOYEE OR AGENT RESPONSIBLE FOR DELIVERING THIS COMMUNICATION TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION, COPYING, OR OTHER USE OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE. THANK YOU.

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